

## **REMARKS**

Claims 13-20 are pending in the present application.

This Amendment is in response to the Office Action mailed February 21, 2007. In the Office Action, the Examiner objected to claim 20 because of informalities, rejected claims 13-15, 16-18, 19 and 20 under 35 U.S.C. § 103(a).

Applicant has amended claims 13 and 20, and added claims 21-25. Applicant submits that the newly added claims introduce no new matter. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

### **I. CLAIMS OBJECTION**

The Examiner objected to claim 20 because of the informality as followed:

In claim 20, line 1: "comprises" should be changed to --comprise--. In response, Applicant has amended claim 20 accordingly. The objection is now moot. Therefore, Applicant respectfully requests the objection be withdrawn.

### **II. REJECTIONS UNDER 35 U.S.C. § 103**

The Examiner rejected, under 35 U.S.C. § 103(a), (1) claims 13-15 as being unpatentable over PCT WO 99/59149 with English equivalent U.S. Patent No. 7,057,998 issued to Oumi et al. ("Oumi") in view of U.S. Patent No. 6,657,927 issued to Awano et al. ("Awano"), (2) claims 16-18 as being unpatentable over Oumi in view of Awano as applied to claim 13, further in view of U.S. Patent No. 6,115,353 issued to Horie et al. ("Horie"), and (3) claims 19-20 as being unpatentable over Oumi in view of Awano as applied to claim 13, further in view of Horie and U.S. Patent No. 6,177,150 issued to Fujita et al. ("Fujita") . Applicant respectfully traverses the rejections for the following reasons.

Oumi discloses a light passage 5 that has one tip having a microscopic aperture 7 provided in a slider 1 bottom surface and an opposite tip covered by a light emitting element 2 bonded on a top surface of the slider 1 (Col 5, lines 24-27). Oumi further discloses that the microscopic aperture 7 is smaller than a wavelength of light, a light field based on a near-field light is generated on the microscopic aperture 7 on a recording medium 3 side. Oumi, however, does not disclose an air bearing surface of the slider is adjacent to a p-clad layer.

Awano discloses that an optical head and laser light source are formed on a common substrate in the monolithic manner and; therefore, possible to realize the head is having a miniaturized size and a light weight (Col. 2, lines 59-65). No where in Awano that discloses an air bearing surface of the slider that is adjacent to a p-clad layer.

Horie discloses a high density rewritable phase-change optical storage media which exhibits a reduced degradation during repeated overwriting (Col. 1, lines 12-15). Horie further discloses that the recording layer of phase-change type comprises 40 atomic percentage or more of GeSbTe (Col. 21, lines 49-51), and a lower and upper protective layers of a dielectric material (Col. 6, lines 2-8). Unlike the present invention, Horie does not disclose an air bearing surface of the slider that is adjacent to a p-clad layer.

Fujita discloses a DLC protective film 17 that is formed using methane. The DLC protective film 17 is a carbonaceous thin film having a diamond structure and has a high hardness and lubricating properties (Col. 3, lines 7-8 and lines 15-17). Fujita, however, does not disclose an air bearing surface of the slider that is adjacent to a p-clad layer

Oumi, Awano, Horie, Fujita, taken alone or in any combination, do not disclose, suggest, or render obvious an air bearing surface that is adjacent to a p-clad layer. This aspect of the invention is supported in the specification on page 4 (lines 14-18) and is recited in amended claim 13.

Therefore, Applicant believes that independent claim 13 and its respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 103(a) be withdrawn.

**CONCLUSION**

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,  
DISCOVISION ASSOCIATES

Dated: 05/16/07

  
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